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OCA FILE

OCA 87-3823
1 September 1987

MEMORANDUM FOR: Executive Assistant to the DDA
Chief, Counterintelligence Staff/DO
Chief, Soviet East European Division/DO
Director of Security
Deputy Director for Physical and Technical Security/OS
Deputy Director for Personnel Security/OS

FROM: [redacted] Legislation Division STAT
Office of Congressional Affairs

SUBJECT: Department of State Report on S. 995 Re: Additional Construction Activity in Certain Communist Countries

1. The Office of Management and Budget (OMB) has asked for our views on the above-captioned report. The bill on which the report is based provides that no funds shall be available to undertake construction activities in Communist countries until the Congress receives a report addressing security concerns. The Agency, in conjunction with the Department of State, Defense Intelligence Agency and National Security Agency, would prepare this report. In addition, the bill requires that the Congress receive certification by the President with regards to security before the funds are released. The report and the bill are attached.

2. In order that we may respond to OMB in a timely manner, please refer your comments to me by 8 September 1987. You may telephone me on [redacted] if you have any questions. STAT

Attachments:
as stated

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United States Department of State

Washington, D.C. 20520

Dear Mr. Chairman:

The Secretary has asked me to respond to your May 15 request that we provide you with comments on legislation recently referred to the Committee on Foreign Relations, specifically S. 995, a Bill "To assure the availability of funds for additional construction activity in certain Communist countries," introduced by Senator Dole on April 9, 1987.

The Secretary of State has the responsibility for the security program at our missions overseas. The Secretary takes this responsibility very seriously. To succeed in this mission the Department of State closely coordinates the design, planning and construction of facilities abroad with the Central Intelligence Agency, Defense Intelligence Agency, National Security Agency, and other agencies as appropriate. The security needs and concerns of each agency are accommodated through this process.

Currently, specific security standards and design criteria govern the planning and construction of all new buildings abroad. These standards and design criteria have been made available to the Congress, and have been the focus of formal hearings and informal discussion by staff. These exchanges have been instrumental in refining the standards now in place. Formal, legislatively mandated reporting on these issues would not, in our view, add significantly to the information currently available, and would in fact duplicate what is already being provided.

We feel the Secretary of State's responsibility for the welfare and security of our missions overseas constitutes certification that projects will proceed without undue risk to American security interests.

With best wishes,

Sincerely,

J. Edward Fox
Assistant Secretary
Legislative and intergovernmental Affairs

The Honorable
Claiborne Pell, Chairman,
Committee on Foreign Relations,

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STAT

100TH CONGRESS
1ST SESSION

S. 995

To assure the availability of funds for additional construction activity in certain Communist countries.

IN THE SENATE OF THE UNITED STATES

APRIL 9 (legislative day, MARCH 30), 1987

Mr. DOLE (for himself and Mr. ROTH) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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A BILL

To assure the availability of funds for additional construction activity in certain Communist countries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by any provision of law shall be available for undertaking any additional construction activity on any project planned or underway in any Communist-controlled country until 30 days after—

(1) receipt by the Congress of a detailed report submitted by the Secretary of State and approved by the Directors of the Central Intelligence Agency, De-

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fense Intelligence Agency, and National Security Agency, on any such project. Such report shall include—

(A) an evaluation of all security-related factors which must be and are being considered in the planning and implementation of such project; and

(B) how any existing and potential security related issues and problems are being addressed in the planning and implementation of such project; and

(2) receipt by the Congress of a certification made by the President that appropriate and adequate steps have been taken to ensure that the project may proceed without undue risk that American security interests will be compromised thereby.

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